

**TESTIMONY
OF
JAMES E. CASON
ASSOCIATE DEPUTY SECRETARY
DEPARTMENT OF THE INTERIOR
AT THE HEARING
ON
INDIAN EDUCATION
BEFORE THE
COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE**

May 25, 2006

Good morning, Mr. Chairman and Members of the Committee. My name is Jim Cason, and I am the Associate Deputy Secretary for the Department of the Interior, exercising the responsibilities of the Assistant Secretary - Indian Affairs. I am pleased to be here today to speak on behalf of the Department about Indian Education Programs. With me is Mr. Kevin Skenandore, currently the Acting Director for the Office of Indian Education Programs until Mr. Tom Dowd joins our management team as the Director on June 11. Mr. Skenandore comes to us from the field, as the Education Line Officer at Ft. Apache, Arizona and has been instrumental in the development and implementation of the improved management structure, which he and I will address later and provide a status report on the overall restructure.

Background

The Bureau of Indian Affairs (BIA), Office of Indian Education Programs (OIEP) provides education programs in 184 elementary, secondary schools and dormitories to federally recognized tribes. The BIA operates 62 schools and dormitories with the remaining 122 operated by the tribes through contracts or grants. These schools are located on 63 reservations in 23 states. The BIA has the functions of a State Educational Agency (SEA) for this nationwide school system.

During the 2005-2006 school year, BIA-funded schools served approximately 47,700 Indian students and residential boarders; however, less than 10% of all American Indian students in the United States attend BIA-funded schools. Approximately 5,000 teachers, professional staff, principals and/or school administrators and support personnel work within our BIA-operated schools.

OIEP also administers operating grants to 24 Tribal Colleges and Universities. Collectively, these Tribal Colleges and Universities offer more than 350 degree programs and 180 vocational programs. In addition, OIEP operates Haskell Indian Nations University, an accredited university serving approximately 1,800 students during the 2005-06 academic year, and Southwestern Indian Polytechnic Institute serving approximately 1,600 students.

Comprehensive Review of OIEP Follow Up

As indicated in previous testimony, a comprehensive review of the BIA Education System was conducted with the determination that several changes must be made in order to improve the effectiveness of the education services and programs provided in our BIA-funded school system and in order to ensure no American Indian child is left behind. Based on this comprehensive review, it was clear to me that one of our major risks is lack of consistent OIEP leadership and a functional management structure.

Today, I would like to discuss with you our progress, challenges and future plans for Indian Education in the following four focus areas:

1. Status of Improved Management Structure
2. Educational Leadership and Instructional Management
3. The Road Map - Program Improvement and Accountability Plan (PIAP)
4. Changing Role of Division of Compliance, Monitoring and Accountability (DCMA)

Status of Improved Management Structure

The overall objective of the Improved Management Structure is to change the current organizational structure to reflect today's educational policies and the critical emphasis on improving student academic achievement, to reduce the span of control at the Director and Deputy Director level, and to improve accountability. The Improved Management Structure will provide enhanced senior leadership and accountability to the BIA education programs.

During August 2003, the Director, OIEP conducted 11 regional Tribal consultation meetings on a proposal to realign the current education line offices (ELOs). Based on comments and suggestions received from the consultation meetings, a revised proposal was distributed to Indian Country in March 2004 for comment. The proposal in Fiscal Year 2004 included the concept of consolidating the current 23 ELOs into nine regional education offices. For those communities directly affected by the realignment of the ELOs, the Director conducted additional open-forum meetings during April and May 2004. Based on a careful review of all comments made on the proposals, the Director, OIEP revised the proposal to create an improved management and functional structure for OIEP. Functionally, discussed in my final section, the OIEP reorganized its Center for School Improvement (CSI) dividing and absorbing its functions between a new division of Compliance, Monitoring, and Accountability and the ELOs.

Faced with the current and future changes, OIEP is committed to meeting the needs of the families and students attending Bureau-funded schools. The proposed improved management structure is intended to increase and elevate the senior management positions to: (1) improve accountability; (2) improve the span of control at the Director and Deputy Director level; (3) separate the administrative and instructional leadership responsibilities; (4) provide delineation of Public Law 100-297 and Public Law 95-561 as amended by Public Law 107-110, management authorities; and (5) align the organization to meet state requirements for achieving Adequate Yearly Progress (AYP).

Educational Leadership and Instructional Management

The improved management structure synchronizes the operational program functions of OIEP. It refocuses attention on the importance of instructional leadership and addresses the span of control at the Director and Deputy Director level. Also addressed is the accountability in the field offices by adding Education Specialists to serve as additional resources. Education Specialists will provide more guidance in instruction aligned with curriculum, state content standards and assessments. Simultaneously, all services provided will address the Program Improvement Accountability Plan (PIAP) at the local level focused on the improvement and accountability.

Under the improved management structure, OIEP is headed by a Director, who oversees the Division Chief- Compliance, Monitoring and Accountability, Deputy Director- Policy and Evaluation and Post Secondary, Associate Deputy Director-Division of Post Secondary Education, Deputy Director- School Operations, Associate Deputy Directors and Assistant Deputy Director- Administration (ADDA). The ADDA will oversee the budget, finance, acquisition, property, policy, performance management, records management, human resources, construction, facilities operations and maintenance, environmental, cultural and safety programs and equal opportunity as well as the Public Law 93-638 Contract process and the Public Law 100-297 Grant process. With the establishment of the ADDA to provide the administration oversight, the Education Line Officers will be able to focus their efforts on instructional leadership, which is paramount to addressing student achievement and meeting AYP requirements in the “No Child Left Behind Act” (NCLBA).

The technical assistance function of the CSI has been moved to the ELOs from its centralized location to the new regional structure. This puts the assistance closer to those who need it.

The Road Map – Program Improvement and Accountability Plan (PIAP)

In response to changing management responsibilities, the OIEP worked with Tribes and tribal school boards to develop a PIAP to improve the effectiveness of the education services provided in the Bureau-funded school system. The purpose of the PIAP is to structure OIEP’s approach to meeting its six critical educational objectives: (1) Achieve Adequate Yearly Progress at All BIA-funded Schools; (2) Ensure Safe and Secure Schools; (3) Provide Free Appropriate Public Education for All Eligible Students; (4) Improve Administrative, Organizational and Management Capability; (5) Improve Program and Financial Accountability; and (6) Improve Communication.

This plan is designed to guide the OIEP at each level: the schools, the education line offices, and the national offices. Every Education Line Officer has completed a subsidiary PIAP for their agency office. Each administrator of a Bureau-operated school has completed a school PIAP as well. All these plans are inter-linked to ensure completion on all project activities at all three levels.

OIEP is committed to greatly improving its success rate in meeting the milestones listed in the PIAP. OIEP is also committed to improving communication on the PIAP and to making it our central guiding document. Finally, our goals used in the Government Performance and Results Act (GPRA) process and the Department's Strategic Plan are being realigned with the PIAP.

Changing Role in the Division of Compliance, Monitoring and Accountability

The Division of Compliance, Monitoring, and Accountability (DCMA) functions in the role of the State Educational Agency providing technical support to Bureau-funded schools as required by Public Law 107-110, "No Child Left Behind Act" and the reauthorization of Public Law 108-446, The Individuals with Disabilities Education Improvement Act (IDEA). The functions of DCMA were previously done by the Center for School Improvement.

With the reauthorization of the Elementary and Secondary Education Act (ESEA), the focus changed from not only holding schools and states accountable for the programs provided to high poverty students to also holding schools accountable for the these students' academic gains. In reauthorization of ESEA in 2001, the "No Child Left Behind Act" emphasized accountability for results in improving the academic success of students served by these programs. The statute required schools receiving Title I funds to achieve Adequate Yearly Progress (AYP) based on annual targets towards the goal of all students achieving academic proficiency in reading and mathematics by school year 2013-2014. Under the statute, a school achievement of its annual AYP targets is based primarily on student assessment results broken out by race and ethnicity, poverty, disability status, and limited English proficiency status.

The statute has also established the mandatory integration of "scientifically researched based" instructional strategies and challenging academic content into the design of school-wide plans that are focused upon specific targets in the school environment that will directly result in student academic achievement. OIEP has established guidelines that require schools in school improvement, corrective action, or restructuring status to develop improvement plans to address specific causes for a school's low performance. The statute requires the State Education Agencies to review and approve a plan for all schools in their respective State's jurisdiction. OIEP's DCMA will conduct this process.

Requirements under the reauthorized IDEA have also changed the role of the State Educational Agency. The state level general supervision has changed to focus on the monitoring of schools to ensure their compliance in the following areas.

1. Free and Appropriate Education Program (FAPE)
2. Least Restrictive Environment (LRE)
3. Procedural Safe Guards
4. Appropriate Use of Funds
5. Equitable and appropriate distribution of funds to meet the needs of students determined eligible for Special Education services.
6. The Special Education Advisory board
7. The Eligibility Document

8. The Coordinated Services Delivery Plan
9. The State Performance Plan

The changing role of the Education Line Officers to that of Instructional Leaders as opposed to General Administrators for federal programs will transfer the responsibility for development of elementary and secondary programs, training, and much of the technical support that was provided by the then Center for School Improvement to the Education Line Officers and their staff.

The DCMA is organized into four units that are designed to provide oversight for Supplemental and Special Education programs at the school level. The units that have been established as: the Branch of Supplemental Education Programs that includes Title I, Title II-Parts A and D, and Title IV-Parts A and B; the Branch of Special Education Programs that includes all Special Education state supervisory responsibilities; the Branch of Data that is responsible for all state level data acquisition and management, including the computation of AYP determinations for all BIA-funded schools; and the Branch of Monitoring that is responsible for all School-wide and Special Education monitoring, reporting, as well as the development of action plans to address school level findings and to provide corrective actions. Determination of rewards and sanctions are also included as part of the Title I functions and responsibilities at DCMA.

The DCMA under this configuration can address the responsibility for state supervision and insure statutory compliance. Monitoring and follow up for actions plans at the school level is critical for BIA schools to experience improvement and success. The redistribution and clarification of responsibilities for the DCMA will greatly benefit the schools under the improved management structure. This configuration not only serves our schools it enables the improved management structure to develop strong responsible relationships with the Department of Education, The Office of Special Education Programs, and State Educational Agencies in the 23 states in which our schools are located. Additionally, DCMA will be responsible for monitoring of Indian School Equalization Programs (ISEP) requirements.

Conclusion

Overall, our intentions are to provide improved communications and coordination between all of the parties who must contribute to the success of our Indian education programs. The improved management structure is intended to improve the management and accountability of the education program. I firmly believe that with the implementation of the improved management structure of OIEP, and with final transition in the fall, the opportunity for change and improvement and accountability in the BIA's Indian Education Programs has begun. I am confident that with the change, the enhancement of the academic achievement of Indian students will take place. We look forward to working with the Department of Education, the Tribes, and this Committee on Indian Education.

Thank you for the opportunity to be here today to testify on these important issues. I would be happy to answer any questions that you may have.